

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Part 90 of the )  
Commission's Rules to Adopt )  
Regulations for Automatic )  
Vehicle Monitoring Systems )

PR Docket 93-61

**REPLY COMMENTS OF IVHS AMERICA**

The Intelligent Vehicle-Highway Society of America ("IVHS AMERICA" or "the Society") hereby submits its Reply to the Comments received by the Commission on its Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding.<sup>1</sup>

In its initial Comments the Society encouraged the Commission to adopt permanent rules in this proceeding that incorporate substantial flexibility to permit Automatic Vehicle Monitoring ("AVM") and Automatic Vehicle Identification ("AVI") licensees in the 902-928 MHz band to adapt their operations to maximize their use of the available spectrum for IVHS services. In particular, IVHS AMERICA urged the Commission, upon its review of the record compiled in response to the NPRM, to adopt

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<sup>1</sup>IVHS AMERICA relies upon its Communications Spectrum Task Force (the "Task Force") for the development of submissions to the FCC and NTIA. The Task Force is comprised of a subset of the Society's membership with expertise and interest in issues related to RF spectrum allocation policy. The Task Force was formed by the Society to provide an interface between IVHS AMERICA and the spectrum policymakers at the FCC and NTIA. The views expressed herein are those of IVHS AMERICA and are not necessarily shared by each of the individual members of the Society or the Task Force.

permanent rules that promoted the expeditious development and deployment of AVM and AVI systems and that favored the provision of IVHS services by those systems, that protected existing constructed AVM and AVI systems, and that promoted the efficient use of the available spectrum.

Over sixty parties submitted Comments and supporting documentation on the proposals contained in the NPRM. The extensive record compiled in this proceeding thus provides the Commission an adequate basis upon which to predicate its adoption of permanent rules.

In its Comments, North American Teletrac and Location Technologies, Inc. d/b/a PacTel Teletrac ("Teletrac") criticizes the earlier Reply Comments submitted by IVHS AMERICA on the Teletrac Petition For Rulemaking. Teletrac Comments at 26-27. In particular, Teletrac states that the earlier IVHS AMERICA Reply Comments are "no support at all for anything," relying upon an over twenty year old statement of Mitre Corporation ("Mitre") apparently contradicting a statement in the IVHS AMERICA Reply Comments.

At the outset, Teletrac's criticism of IVHS AMERICA's Reply Comments as inconsistent with Mitre's earlier paper is wholly unfounded. The position expressed in the IVHS AMERICA Reply Comments was not that of Mitre. Conversely, the position expressed in Mitre's twenty year old paper was not that of IVHS AMERICA, which did not exist at that time.

The earlier IVHS AMERICA Reply Comments, indeed, were intended to express the concern of the Society that any action taken by the Commission in this proceeding adequately consider the needs of both AVM and AVI systems. To that extent, the Society urged the Commission in those Reply Comments to consider the ability of wideband systems to tolerate interference from co-channel narrowband systems, and noted that one advantage of certain "wideband" systems (for example, spread spectrum systems) was a perceived ability to tolerate shared operations. As noted in its Comments on the NPRM, IVHS AMERICA recognizes, however, that the Commission must evaluate the record in this proceeding to ascertain whether the existing state-of-the-art wideband pulse ranging multilateration systems in fact are capable of co-existing with narrowband systems. The Commission has received much evidence from the Commenters on this issue, and the Society takes no position on the appropriate technical resolution of this issue based upon that evidence, but urges the Commission to expeditiously adopt permanent rules to govern the deployment of AVM and AVI services in the 902-928 MHz band.

Respectfully submitted,  
**IVHS AMERICA**

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CERTIFICATE OF SERVICE

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